

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 485

BY SENATORS WELD, WOELFEL, AND WOODRUM

[Introduced March 1, 2021; referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §61-7-15a of the Code of West Virginia, 1931, as amended, relating
 2 to use or presentation of a firearm during the commission of a felony; and amending the
 3 offense to include possession of a firearm.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. DANGEROUS WEAPONS.

**§61-7-15a. Use, possession, or presentation of a firearm during commission of a felony;
penalties.**

1 As a separate and distinct offense, and in addition to any and all other offenses provided
 2 for in this code, any person who, while engaged in the commission of a felony, uses, possesses,
 3 or presents a firearm shall be guilty of a felony and, upon conviction, shall be ~~imprisoned~~ confined
 4 in a state correctional facility for not more than ten years.

NOTE: The bill adds “possession” to the current statute that authorizes a separate and distinct felony offense for the use or presentation of a firearm while engaged in the commission of a felony.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.